SOUTHERN DISTRICT OF NEW YORK	X	
PRINCE DIVINE MESSIAH MUHAMMAD,	: : : :	: : : : : ORDER DIRECTING
Plaintiff(s),	: :	PRISONER AUTHORIZATION
-against-	:	10 Civ. 9531 (LAP)
STEVE RABINOWITZ, L.C.S.W.; RICHARD MIRAGLIA,	: :	
Defendant(s).	: : :	
	X	

## LORETTA A. PRESKA, Chief United States District Judge:

Plaintiff brings this *pro se* action. The Court directs Plaintiff to pay the \$350.00 filing fee or submit a Prisoner Authorization form within thirty (30) days of the date of this Order as detailed below.

In order to proceed with a civil action in this Court, Plaintiff must pay the \$350.00 filing fee or ask the Court to waive the fee by requesting to proceed *in forma pauperis* with a signed Request to Proceed In Forma Pauperis ("IFP") application. See 28 U.S.C. §§ 1914, 1915.

Because Plaintiff is a prisoner seeking to file a complaint *in forma pauperis*, Plaintiff is also subject to the Prison Litigation Reform Act ("PLRA"), 28 U.S.C. § 1915(b)(1), (2). The PLRA requires the Court to collect the full filing fee from Plaintiff's prison account. See 28 U.S.C. § 1915(b)(1).

Plaintiff submitted the IFP application with a Prisoner Authorization form for the Eastern District of New York, but that Court transferred the case and reserved any determination regarding the fee to the transferee court. A new Prisoner Authorization form for the Southern District of New York is required. Plaintiff is directed to pay the \$350.00 filing fee or, in the

<sup>&</sup>lt;sup>1</sup> The Prisoner Authorization form directs the facility at which Plaintiff is incarcerated to deduct the filing fee from Plaintiff's prison account in installments and to send to this Court certified copies of Plaintiff's prison account statements for the past six months. 28 U.S.C. § 1915(a)(2), (b).

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alternative, to submit a Prisoner Authorization form to the Court within thirty (30) days of the

date of this Order. If Plaintiff submits the Prisoner Authorization form, it must bear the same

docket number as this Order.<sup>2</sup>

The Clerk of Court is directed to assign this matter to my docket. No summons shall

issue at this time. If Plaintiff complies with this Order, if proper, the case shall be reassigned to

a district judge in accordance with the procedures of the Clerk's Office. If Plaintiff fails to

comply with this Order within the time allowed, the action will be dismissed.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order

would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose

of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED:

Loretta a. Prexka

LORETTA A. PRESKA Chief United States District Judge

Dated: January 7, 2010

New York, New York

<sup>2</sup> For Plaintiff's convenience, a Prisoner Authorization form is attached.

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